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Idaho Operations Office  
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June 30, 2000

Mr. Wayne Pierre  
Environmental Cleanup Office  
U.S. Environmental Protection Agency Region X  
1200 Sixth Avenue  
Seattle, WA 98101

Mr. Dean Nygard, Bureau Chief  
Idaho Department of Health and Welfare  
Division of Environmental Quality  
1410 North Hilton  
Boise, ID 83706-1255

SUBJECT: OU 7-10 Staged Interim Action Project - Transmittal of the Stage II  
Remedial Design/Remedial Action Work Plan - (EM-ER-118-00)

REFERENCES: 1) Letter, K. E. Hain/DOE-ID to D. Nygard/IDHW and W. Pierre/EPA,  
"OU 7-10 Staged Interim Action – WAG 7 Request for Modification  
of Milestones," dated 4/13/00  
2) Letter, K. E. Hain/DOE-ID to J. Underwood/IDHW and W.  
Pierre/EPA, "OU 7-10 Staged Interim Action Project – Update on  
Progress and Baseline Variances," dated 12/13/99  
3) Letter, K. E. Hain/DOE-ID to D. Nygard/IDHW and W. Pierre/EPA,  
"Waste Area Group 7 Schedule Issues," dated 8/24/99  
4) Letter, K. E. Hain/DOE-ID to J. Underwood/IDHW and W.  
Pierre/EPA, "OU 7-10 Staged Interim Action – Continued  
Schedule Impacts from Differing Professional Opinion," dated  
5/21/99

Dear Mr. Pierre and Mr. Nygard:

This letter confirms our transmittal, on June 21, 2000, of the Operable Unit (OU) 7-10 Staged Interim Action Project Draft Remedial Design and Remedial Action Work Plan for Stage II. The June 2000 enforceable deadline for this primary document was met with this submittal.

The Department of Energy (DOE) hereby requests extensions to the OU 7-10 and OU 7-13/14 enforceable deadlines, as previously communicated in References 1-4. Concurrent with negotiation of modified schedules, the DOE will proceed with expanded investigation including enhanced probing of the WAG 7. In addition, DOE intends to defer completion of comment resolution for the Stage II Remedial Design/Remedial Action Plan pending a final decision on the need to proceed with Stage II. DOE further requests negotiations with the IDHW and EPA be scheduled to discuss and resolve this matter. When agreement is reached on the project

scope and data needs for the OU 7-13/14 Remedial Investigation/Feasibility Study (RI/FS) Work Plan Addendum (presently scheduled to be drafted in September 2000), DOE will be able to establish a revised schedule for OU 7-10 and the OU 7-13/14 RI/FS.

Based on our evaluation of the OU 7-10 Staged Interim Action Project and the data needs for the OU 7-13/14 RI/FS, DOE believes delaying the implementation of OU 7-10 Stage II until the Record of Decision for OU 7-13/14 is completed is the best course. The Stage II 90% Design provides sufficient information on the feasibility and cost of retrieval, when coupled with anticipated data on buried waste from the recently planned enhanced probing, to evaluate the waste retrieval remedial alternative in the OU 7-13/14 RI/FS. Stage II includes the retrieval and storage, without treatment, of wastes and contaminated soils, from a 20 x 20 ft area within Pit 9, at an estimated cost of \$117.5M. Based on detailed Stage I and II cost estimates, Stages I, II, and III cannot all be implemented within +50%/-30% of the \$264M interim action cost estimate presented in the 1995 Explanation of Significant Difference (ESD) and referenced in the 1998 ESD.

DOE believes the benefits derived from completing the very costly Stage II prior to the preparation of the OU 7-13/14 RI/FS (including the accompanying baseline risk assessment) do not justify the expense at this time. The completion of the RI/FS is necessary to collect additional data to adequately evaluate the risk posed by the buried waste and to evaluate the retrieval, treatment, and disposal option, among other remedial actions. DOE suggests the evaluation of remedial actions be best conducted, both technically and cost-effectively, in the context of the remediation of the entire Subsurface Disposal Area, not just Pit 9.

Based upon thorough safety and design analyses, completion of internal reviews and extensive engagement of the regulatory agencies, DOE is convinced the Stage II design is a good design and could be implemented given sufficient time and funds. If necessary to substantiate this belief, DOE is willing to commission an implementability review of the design by an independent body acceptable to the IDHW and EPA. Should the OU 7-13/14 RI/FS substantiate retrieval as part of the remedy for the pits and trenches, DOE will implement a remedy, based on the Stage II design for OU 7-10, in accordance with the OU 7-13/14 Record of Decision.

DOE believes funding in the years 2001 to 2004 could be most beneficially used for expanded data collection through probing to provide more complete information for the OU 7-13/14 RI/FS, rather than to implement Stage II at this time. Our objective is to achieve the best decision on the ultimate remedy for the pits and trenches, including the use of the Stage II design.

Consistent with the OU 7-10 Record of Decision objective to reduce risk, DOE proposes to take interim action prior to the completion of the OU 7-13/14 RI/FS, as appropriate, based on risk reduction principles. Examples of the types of actions that could be taken include: grouting selected areas in the Subsurface Disposal Area, which would be identified through expanded probing; removal of volatile organic compounds (VOC) from waste pits through modification of the existing vapor extraction system and installation of shallow wells adjacent to the source pits; installation of a temporary cap over selected pits or trenches with appropriate VOC removal features; or expansion of the vapor extraction system to include removal of VOC from the subsurface below the 240-ft interbed.

Any early action would be conducted within an appropriate regulatory framework. Regardless of the early action selected, the approach would be consistent with the OU 7-13/14 final remedy.

Again, as previously communicated in References 1-4, extensions of future OU 7-10 and OU 7-13/14 deadlines are required. Future deadlines which will not be met and will require negotiated modification include: OU 7-13/14 Draft Remedial Investigation Feasibility Study (3/31/02); OU 7-13/14 Draft Record of Decision (12/31/02); OU 7-10 Draft Stage II Remedial Action Report (4/30/03); OU 7-10 Draft Stage III 90% Remedial Design/Cost Estimate (4/30/03); and the OU 7-10 Stage III Draft Remedial Action Work Plan and Operations and Maintenance Plan (9/30/03).

DOE believes that a postponement of OU 7-10 Stage II and timely completion of the OU 7-13/14 RI/FS will keep us on the right path for remedy selection for the entire Subsurface Disposal Area. DOE believes it is appropriate to reevaluate the work plans and deadlines for the ongoing WAG 7 activities pursuant to Sections XII, XIII, and XV of the Federal Facility Agreement and Consent Order. Accordingly, DOE requests that the EPA and the IDHW agree to negotiate revised work plans and deadlines to develop a course of action that best achieves success for remediation of the Radioactive Waste Management Complex pits and trenches.

Please contact me at (208) 526-4392 to set up a schedule for agency discussions on this matter. We look forward to working with the regulatory agencies to reach a resolution on our course of action.

Sincerely,



Kathleen E. Hain, Director  
Environmental Restoration Division

cc: C. Huntoon, DOE/EM-1, FORS/5A-014  
S. Allred, IDHW  
C. Clarke, EPA(X)  
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